

# ANDERSON KILL P.C.

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The parties' joint request is **GRANTED**. The  
initial pretrial conference is hereby **adjourned**.

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**SO ORDERED.**

By ECF

Dated: May 11, 2023  
New York, New York

  
**JENNIFER L. ROCHON**

May 10, 2023

**United States District Judge**

Hon. Jennifer L. Rochon  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1920  
New York, NY 10007

Re: *Modell v. Argonaut Ins. Co., et al.*; No. 23-cv-01488-JLR (S.D.N.Y.)  
Joint Request for Adjournment

Dear Judge Rochon:

Anderson Kill P.C represents Defendant Eric Spiel in the above-referenced matter. We write jointly with counsel for Plaintiff Mitchell Modell and Defendant Argonaut Insurance Company to respectfully request an adjournment of the Rule 16(b) Scheduling Conference currently set for June 1, 2023, until after the Court decides the Defendants' pending motions to strike and to dismiss Plaintiff's Complaint (Dkt. Nos. 19-25). Resolution of those motions may impact the scope of discovery and the parties' and the Court's planning for same.

Defendants filed their pending motions on April 12, 2023. By Order of the Court, Plaintiff's time to respond to the motions is May 26, 2023. Defendants' replies are due June 2, 2023. Pursuant to the Federal Rules of Civil Procedure and Local Rules, the parties will be obligated to initiate planning for discovery and exchanging initial disclosures while the motions are pending. Accordingly, the parties request the Court adjourn the Rule 16(b) Scheduling Conference until twenty-five (25) days after the Court decides the pending motions. This is the first request for an adjournment of the Rule 16(b) Scheduling Conference.

The parties thank the Court for its consideration.

Respectfully submitted,



Ethan W. Middlebrooks

cc: All Counsel of Record